UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,686	03/30/2001	Thomas N. Turba	#RA 5362 (33012/309/101)	9229

27516   7590   10/31/2007

UNISYS CORPORATION
MS 4773
PO BOX 64942
ST. PAUL, MN 55164-0942

EXAMINER
NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
2163	

MAIL DATE	DELIVERY MODE
10/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/822,686	TURBA ET AL.
	Examiner	Art Unit	
	Merilyn P. Nguyen	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2007*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) *11-15* is/are allowed.

6)☒ Claim(s) *1-10 and 16-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☒ Other: *Detailed action*.

DETAILED ACTION

1.   In response to the communication dated 08/16/2007, claims 1-20 are pending in this

office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claims 6 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Regarding claim 6, it is unclear what Applicant meant by "enables said service request to

be defined from said user terminal in accordance with a plurality of discreet and independent

steps **rather than said ordered sequence of command language statements**" (Emphasis

added). The Applicant is respectfully suggested to clarify the limitation of "rather than said

ordered sequence of command language statements".

Regarding claim 16, this claim is being indefinite in that it fails to point out what

is included or excluded by the claim language. The claim recites "providing database

management services by execution of a plurality of command language statements which stores

said plurality of components" which renders the claim vague and indefinite because it's unclear

whether the services store said plurality of components or a plurality of command language

statement stores said plurality of components.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-10 and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Glaser

(US 6,058,264).

Regarding claim 1, Glaser discloses in a data processing system (Figs. 1-4) comprising:

a.   a server responsively coupled to a data base management system having a

plurality of customized user interface components stored therein; (See Fig. 3, Figs. 7A-7G)

b.   a user terminal (Client Computer 102, Fig. 1) operated by a user coupled to said

user terminal via a publicly accessible digital data communication network (Network Server 110,

Fig. 1) which builds a service using said plurality of customized user interface components (See

col. 3, lines 49-56) providing a related sequence of manipulations of data within a data base

management system (RDBMS 126, Fig. 1) which responds to said service by executing an

ordered sequence of command language script (See col. 4, lines 21-35);

c.   a data wizard (Extender Smart Guide 422, Fig. 4) located within said server which

assists said user to build said service as a plurality of discrete and independent steps (See Fig.

7A-7G) corresponding to said ordered sequence of command language script (See col. 6, lines 1-

23 and col. 9, lines 20-31); and

d.   a save component module within said data base management system which stores

said plurality of discreet and independent steps for individual subsequent use (See col. 9, lines

14-40).

Regarding claim 6, Glaser discloses apparatus comprising:

a.   a user terminal (Client Computer 102, Fig. 1) having a plurality of

customized user interface components (See Fig. 7A-7G) which creates a service request for

modification of data within a data base (See col. 3, lines 49-56);

b.   a server (See Fig. 3) responsively coupled to a data base management

system (RDBMS 126, Fig. 1) coupled to said user terminal via a publicly accessible

digital data communication network (Network Server 110, Fig. 1) having a data

base which stores said plurality of customized user interface components and

supplies said plurality of customized user interface components to said user

terminal and which responds to said service request by execution of an ordered

sequence of command language statements (See col. 4, lines 21-35); and

c.   a data wizard (Extender Smart Guide 422, Fig. 4) coupled to said user

terminal and located within said sever which enables said service request to be defined

from said user terminal in accordance with a plurality of discrete and independent steps

rather than said ordered sequence of command language statements (See Fig. 7A-7G);

d.   a service storage module located within said database management system

which stores said service request as said plurality of discreet and independent steps (See

Figs. 7A-7G) within said data base for future individual use of each of said plurality of

discreet and independent steps (See col. 9, lines 14-40).

Regarding claim 16, Glaser discloses an apparatus comprising:

a.   permitting means for permitting a user to access publicly accessible digital data

communication network (See Browser 108, Fig. 1, and col. 3, line 67 to col. 4, line3) via

a customized user interface having a plurality of components (See Figs 7A-7G);

b.   providing means (Database Server 122, Fig. 1) coupled to said permitting means

via said publicly accessible digital data communication network for providing data base

management services by execution of a plurality of command language statements which

stores said plurality of components (See col. 3, lines 50-56 and col. 4, lines 21-36);

c.   designing means (See col. 7, lines 18-25) couple to said permitting means and

located within said responding means for designing a service through specification of an

ordered plurality of discreet and independent steps corresponding to said plurality of

command language statements (See Figs. 7A-6G); and

d.   storing means (Storage device 124) located within said providing means for

storing said service as said ordered plurality of discreet and independent steps for

subsequent individual usage (See col. 9, lines 14-40).

Regarding claims 2, 7 and 18, Glaser discloses said publicly accessible digital data

communication network further comprises the Internet (See col. 3, line 67 to col. 4, line 1).

Regarding claims 3, 9 and 20, Glaser discloses said user terminal further comprises an industry compatible personal computer (Client Computer 102, Fig. 1, Glaser at el.) having a commercially available browser (Browser 108, Fig. 1).

Regarding claims 4, 8, and 17, Glaser discloses said data wizard permits said user to define and edit each step in said plurality of steps independently of each of the other steps in said plurality of steps (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said steps is edited independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G).

Regarding claim 5, 10, and 19, Glaser discloses a commercial available data base management system (See col. 3, lines 49-56, wherein Glaser system is primarily targeted to enterprise customers. Since the system targets on enterprise customers, the system relating to economic business thus database management system of Glaser is commercially. Also one having ordinary skill in the art would have been recognized that relational database management system is commercial database management system).

4.   Claims 1-10, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bae (US 6,295,531).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37

CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Bae discloses in a data processing system (Fig. 3) comprising:

a.   a computer server (Fig. 3) respectfully coupled to a data base management system having a plurality of customized user interface components stored therein (See Fig. 10);

b.   a user terminal (Client Computer 46, Fig. 3) operated by a user coupled to said user terminal via a publicly accessible digital data communication network (reference 16, Fig. 1) which builds a service using said plurality of customized user interface components (See col. 8, lines 7-26) providing a related sequence of manipulations of data within a data base management system (See col. 6, lines 1-9) which responds to said service by executing an ordered sequence of command language script (See col. 8, lines 34-43);

b.   a data wizard (Data Wizard 302, Fig. 10) located within said server which assists said user to build said service as a plurality of discrete and independent steps (See Fig. 10, and col. 13, line 61 to col. 14, line 21) corresponding to said ordered sequence of command language script (See col. 14, lines 41-44); and

c.   a save component module within said data base management system which stores said plurality of discreet and independent steps for individual subsequent use (Save query definition 340, Fig. 10).

Regarding claim 6, Bae discloses apparatus comprising:

a.   a user terminal (Client Computer 46, Fig. 3) having a plurality of

customized user interface components (See col. 8, lines 7-26) which creates a service request for

modification of data within a data base (See col. 6, lines 1-9);

b.   a server (Fig. 3) responsively coupled to a data base management system

(data base management system such as MAPPER database management system,

col. 5, line 63-65) coupled to said user terminal via a publicly accessible digital data

communication network (reference 16, Fig. 1) having a data base which stores said

plurality of customized user interface components and supplies said plurality of

customized user interface components to said user terminal and which responds to

said service request by execution of an ordered sequence of command language

statements (See col. 8, lines 34-43); and

c.   a data wizard (Data Wizard 302, Fig. 10) coupled to said user terminal and

located within said server which enables said service request to be defined from said user

terminal in accordance with a plurality of discrete and independent steps (See Fig. 10,

and col. 13, line 61 to col. 14, line 21) rather than said ordered sequence of command

language statements;

d.   a service storage module (Save query definition 340, Fig. 10) located

within said database management system which stores said service request as said

plurality of discreet and independent steps within said data base for future individual use

of each of said plurality of discreet and independent steps (See Fig. 10, and col. 13, line

61 to col. 14, line 21).

Regarding claim 16, Bae discloses an apparatus comprising:

a.   permitting means (Client 46, Fig. 3) for permitting a user to access publicly accessible digital data communication network (reference 16, Fig. 1) via a customized user interface having a plurality of components (See Fig. 10);

b.   providing means (Enterprise server 54, Fig. 3) responsively coupled to said permitting means via said publicly accessible digital data communication network for providing data base management services by execution of plurality of command language statements which stores said plurality of components (See col. 6, lines 1-9);

c.   designing means (Web server 50, Fig. 3) responsively couple to said permitting means (Client 46, Fig. 3) and said providing means for designing a service through specification of an ordered plurality of discreet and independent steps corresponding to said plurality of command language statements (See Fig. 10, and col. 13, line 61 to col. 14, line 21); and

d.   storing means (Save query definition 340, Fig. 10) located within said providing means for storing said service as said ordered plurality of discreet and independent steps for subsequent individual usage (See col. 14, lines 41-51).

Regarding claims 2, 7 and 18, Bae discloses said publicly accessible digital data communication network further comprises the Internet (See col. 3, lines 60-62).

Regarding claims 3, 9, and 20, Bae discloses said user terminal further comprises an industry compatible personal computer (Client 46, Fig. 3) having a commercially available browser (See col. 7, lines 40-45).

Regarding claims 4, 8, and 17, Bae discloses said data wizard permits said user to define and edit each step in said plurality of steps independently of each of the other steps in said plurality of steps (See Figs. 10 and 11).

Regarding claim 5, 10, and 19, Bae discloses a commercial available data base management system (See col. 5, line 66 to col. 6, line 9).

Allowable Subject Matter

5.   Claims 11-15 are allowed.

None of the references of record teaches or suggests the claimed invention having, in addition to the other limitations in the claims, the limitations of identifying a discreet and independent step using said customized user interface corresponding to a first portion of said ordered sequence of command language script; identifying a subsequent discreet and independent step ordered subsequently to said discreet and independent step corresponding to a second portion of said ordered sequence of command language script; repeating steps a, b, and c until said service is completely defined.

Response to Arguments

6.   Applicant's arguments filed on 08/16/2007 with respect to claims 1-10 and 16-20 have

been fully considered but they are not persuasive. Applicant's arguments are a rehashing of

similar issues already addressed in the previous office actions. Please see responses in the

previous office actions.

Applicant further argues that Bae does not have the claimed "plurality of customized user

interface components". The Examiner respectfully disagrees. Column 8, lines 17-26 teaches

customized user interface components such as internet terminal utilizing a commercially web

browser.

Applicant further argues that "because Bae and the subject invention have been

commonly assigned to Unisys Corporation as a matter of public record, 35 U.S.C. 103 precludes

Bae from being cited as obviousness prior art against the subject invention". The Examiner

respectfully points out that the claimed invention is rejected under 35 U.S.C. 102(e) not 35

U.S.C. 103, thus Bae is qualify as prior art.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on 571-272-1834. The fax phone numbers for the

organization where this application or proceeding is assigned are 571-273-8300 for regular

communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

MN
October 27, 2007

**WILSON LEE
PRIMARY EXAMINER**